

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BEATRIZ I. MALLORY,

Plaintiff

v.

WELLS FARGO BANK, N.A.,

Defendant.

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3:19-CV-744

(JUDGE MARIANI)

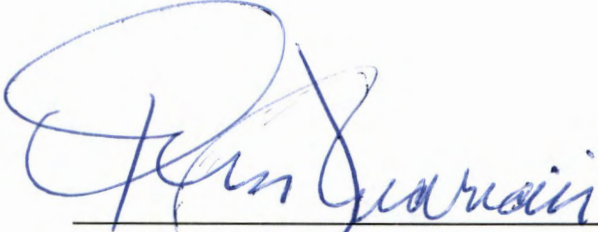
(Magistrate Judge Carlson)

ORDER

AND NOW, THIS 23rd DAY OF AUGUST, 2023, upon *de novo* review of Magistrate Judge Martin Carlson's Report and Recommendation ("R&R") (Doc. 124), Defendant's objections thereto (Doc. 125), Plaintiff's objections thereto (Doc. 129), and all relevant briefs, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 124) is **ADOPTED AS MODIFIED** for the reasons stated in the accompanying Memorandum Opinion.
2. Plaintiff's objection regarding the Legal Fees Provision of the Stipulation is **SUSTAINED**. (Doc. 129 at 7–10.) The remainder of Plaintiff's objections are **OVERRULED**.
3. Defendant's objections are **OVERRULED**.
4. Defendant's Motion for Summary Judgment (Doc. 71) is **GRANTED in part** and **DENIED in part**.

- a. Defendant's Motion (Doc. 71) is **GRANTED** with respect to all of Plaintiff's claims except the breach of contract claim. Judgment is entered in favor of Defendant and against Plaintiff with respect to Plaintiff's Truth in Lending Act (15 U.S.C. § 1601 *et seq.*) claims, Unfair Trade Practices and Consumer Protection Law (73 Pa. Cons. Stat. § 201-1 *et seq.*) claims, libel/slander claims, wrongful use of civil proceedings claims, and abuse of process claims.
- b. Defendant's Motion (Doc. 71) is **DENIED** with respect to Plaintiff's breach of contract claim.



Robert D. Mariani  
United States District Judge